

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 CIAE-00 COME-00 DODE-00 EB-11

FMC-04 INR-10 NSAE-00 RSC-01 CG-00 COA-02 DLOS-06

SCI-06 CEQ-02 EPA-04 L-03 AF-10 ARA-16 EA-11 NEA-10

DRC-01 OIC-04 /141 W

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R 020837Z OCT 73

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 2569

INFO AMEMBASSY LONDON

USMISSION USUN

C O N F I D E N T I A L MOSCOW 12014

E.O. 11652: GDS

TAGS: PBOR, ETRN, UR

SUBJ: LOS ISSUES FOR IMCO MARINE POLLUTION CONFERENCE,
LONDON, OCTOBER 1973

REF: STATE 191304

1. EMBOFF CALLED OCTOBER 1 ON VLADIMIR SEMENOVICH KOTLYAR, CHIEF OF SECTION ON INTERNATIONAL PUBLIC LAW IN MFA TREATY AND LEGAL DIVISION AND MADE POINTS IN REFTEL, LEAVING NON-PAPER ON JURISDICTION AND MILITARY EXEMPTION ISSUES. KOTLYAR SAID HE WOULD BE ONE OF SOVIET ALTERNATE DELEGATES AT IMCO CONFERENCE IN LONDON; HE SAID SOVIET DELEGATION WOULD BE HEADED BY VLADIMIR IVANOVICH TIHONOV, FIRST DEPUTY MINISTER OF MARITIME FLEET.

2. KOTLYAR NOTED OUR POINT THAT SOVIET DELEGATION SHOULD HAVE CAPABILITY TO TAKE BROADER LOS ISSUES INTO ACCOUNT. THOUGH ASKED, HE DID NOT INDICATE WHETHER ANY LOS EXPERTS WOULD BE ALONG. HE DID SAY THAT DELEGATION WOULD BE PREPARED TO DEAL WITH LOS IMPLICATIONS
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ARISING OUT OF ISSUES DISCUSSED AT IMCO, INCLUDING

EXEMPTION AND JURISDICTION.

3. ON MILITARY EXEMPTION, KOTLYAR CONFIRMED THAT SOVIET POSITION WAS NOW TO SUPPORT ARTICLE III, CLAUSE (2) OF THE IMCO 5TH DRAFT WITH CHANGES NOTED REFTEL. HE SAID THAT U.S. VERSION WAS "NOT NECESSARILY THE BEST POSSIBLE" AND THAT MORE SPECIFIC FORMULATION EXEMPTING BOTH WARSHIPS AND NAVAL AUXILIARIES WAS PREFERABLE. HE EXPRESSED INTEREST IN WHETHER THERE WAS ANY FLEXIBILITY IN U.S. POSITION, AND INDICATED THAT, ON SOVIET SIDE, HE DELEGATION LOOKED FORWARD TO COOPERATION WITH U.S. DELEGATION IN SEEKING SOLUTION TO THIS VERY IMPORTANT ISSUE.

4. ON JURISDICTION, KOTLYAR SAID THAT SOVIETS DID NOT AGREE WITH OUR ESTIMATION THAT LOS CONFERENCE WOULD BE A BETTER FORUM THAN IMCO MEETING TO RESOLVE QUESTIONS OF JURISDICTION. HE SAID THAT EXPERIENCE WITH IMCO HAS SHOWN THAT IT'S USUALLY THE DEVELOPED COUNTRIES WHICH COME TO MEETINGS ALTHOUGH HE CONCEDED THAT LDC'S CONSIDER THIS PARTICULAR LONDON MEETING AN IMPORTANT ONE. HE SAID THAT, WHILE HE SHARED U.S. DESIRE THAT LONDON MEETING NOT RESULT IN CONFRONTATION, HE TRUSTED THAT U.S. AND U.S.S.R. WOULD NOT BEGIN PREPARATIONS FOR BROADER QUESTIONS OF LOS CONFERENCE BY SIMPLY SURRENDERING AT LONDON. HE EXPRESSED HOPE U.S. AND SOVIETS CAN COOPERATE FRUITFULLY IN LONDON, THAT THEY CAN TAKE A "MORE ACTIVE LINE", AND THAT IT WILL BE POSSIBLE TO SETTLE JURISDICTION ISSUES THERE.

5. KOTLYAR CONCEDED THAT SOVIET APPROACH TO IMCO MEETING IS BASED IN PART ON ASSUMPTION THAT NOT MANY LDC'S WILL SHOW UP AT LONDON. HE ADMITTED, HOWEVER, THAT HIS GOVERNMENT HAS NO INFORMATION FROM IMCO HEADQUARTERS ON WHAT STATES ARE EXPECTED TO ATTEND. HE SAID IT WOULD HELP IF U.S. COULD SHARE ANY INFORMATION IT HAS ON PROBABLE ATTENDANCE.

6. ACTION REQUESTED: IF DEPARTMENT OR EMBASSY LONDON HAS USEFUL DATA ON PROBABLE ATTENDANCE, EMBASSY CONFIDENTIAL

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BELIEVES IT WOULD BE HELPFUL FOR US TO CONVEY IT TO KOTLYAR BEFORE SOVIET DELEGATION LEAVES THIS WEEKEND. KOTLYAR SAID HE WOULD NEED ANY INFORMATION WE CAN SUPPLY BY OCTOBER 3 OR 4.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 02 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973MOSCOW12014
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS DUBS
Errors: N/A
Film Number: n/a
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731056/aaaabphb.tel
Line Count: 112
Locator: TEXT ON-LINE
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: STATE 191304
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 27 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27-Sep-2001 by willialc>; APPROVED <05-Dec-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS ISSUES FOR IMCO MARINE POLLUTION CONFERENCE, ONDON, OCTOBER 1973
TAGS: PBOR, ETRN, UR
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005